

resources to complete a course of study in the United States"; and

(2) by striking "and solely" after "temporarily".

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by striking "subparagraph (L) or" and inserting "subparagraph (F), (J), (L), or".

SEC. 205. REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary of State shall report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives on—

(1) the feasibility of expediting visa processing for participants in official exchange programs, and for students, scholars, and exchange visitors through prescreening of applicants by sending countries, sending universities, State Department overseas educational advising centers, or other appropriate entities;

(2) the feasibility of developing abilities to collect biometric data without requiring a visit to the Embassy by the visa applicant; and

(3) the implementation of the guidance described in subsections (a) and (b) of section 202, including the training of consular officers, and the effect of this guidance and training on visa processing volume and timeliness.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out to carry out this Act for the consular affairs function of the Department of State, the visa application review function of the Department of Homeland Security, and for database improvements in the Federal Bureau of Investigations as specified in section 203.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 413—ENCOURAGING STATES TO CONSIDER ADOPTING COMPREHENSIVE LEGISLATION TO COMBAT HUMAN TRAFFICKING AND SLAVERY AND RECOGNIZING THE MANY EFFORTS MADE TO COMBAT HUMAN TRAFFICKING AND SLAVERY

Mr. CORNYN (for himself, Mr. SCHUMER, Mr. GRAHAM of South Carolina, Mr. LEAHY, and Mrs. CLINTON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 413

Whereas it has been nearly 2 centuries since the abolition of the transatlantic slave trade, and well over a century since the ratification of the 13th amendment to the Constitution of the United States;

Whereas most Americans would be shocked to learn that the institutions of slavery and involuntary servitude continue to persist today—not just around the world, but hidden in communities across the United States;

Whereas according to Federal Government estimates, approximately 800,000 human beings are bought, sold, or forced across the world's borders each year—including approximately 16,000 human beings into the United States each year—and are coerced into lives of forced labor or sexual servitude that amount to a modern-day form of slavery;

Whereas the 13th amendment to the Constitution of the United States, ratified in 1865, abolishes the institutions of slavery and involuntary servitude;

Whereas numerous provisions of chapter 77 of title 18 of the United States Code have criminalized slavery since 1909;

Whereas the late Senator Paul Wellstone joined in a bipartisan manner with Senator Sam Brownback and many other Senators and Representatives to advance legislation to strengthen those laws, leading to the enactment of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.), which was signed into law by President Bill Clinton;

Whereas Congress made further bipartisan improvements to the law when it enacted the Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108-193), which was signed into law by President George W. Bush;

Whereas the Department of Justice, under the leadership of its Civil Rights Division, has worked during the Clinton and Bush presidencies to strengthen anti-trafficking laws and to increase its own efforts to combat human trafficking and slavery in light of those recent bipartisan enactments;

Whereas the Trafficking in Persons Office of the Department of State continues to fight human trafficking around the world;

Whereas many nongovernmental organizations have made exceptional contributions to the prevention of human trafficking and to the care and rehabilitation of victims of human trafficking;

Whereas survivors of human trafficking crimes risk their lives and the lives of their families to assist in the investigation and prosecution of their former captors;

Whereas effective prosecution of human trafficking crimes will not be possible unless adequate protections are offered to the survivors;

Whereas the fight to eliminate human trafficking and slavery requires the involvement of State and local law enforcement officials, as well as Federal law enforcement efforts;

Whereas the enactment of comprehensive State laws criminalizing human trafficking and slavery may be necessary to ensure that Federal efforts are accompanied by robust efforts at the State and local levels;

Whereas the States of Texas, Washington, Missouri, and Florida have recently enacted comprehensive State criminal laws against human trafficking and slavery;

Whereas the Department of Justice recently announced a comprehensive model State anti-trafficking criminal statute, and encouraged States to adopt such laws, at its first "National Conference on Human Trafficking," held in Tampa, Florida; and

Whereas the Department of Justice's model State anti-trafficking criminal statute is available at the Department's website, http://www.usdoj.gov/crt/crim/model_state_law.pdf: Now, therefore, be it

Resolved, That the Senate—

(1) supports the bipartisan efforts of Congress, the Department of Justice, and State and local law enforcement officers to combat human trafficking and slavery;

(2) strongly encourages State legislatures to carefully examine the Department of Justice's model State anti-trafficking criminal statute, and to seriously consider adopting State laws combating human trafficking and slavery wherever such laws do not currently exist;

(3) strongly encourages State legislatures to carefully examine the Federal benefits and protections for victims of human trafficking and slavery contained in the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003, and to seriously

consider adopting State laws that, at a minimum, offer these explicit protections to the victims; and

(4) supports efforts to educate and empower State and local law enforcement officers in the identification of victims of human trafficking.

SENATE RESOLUTION 414—ENCOURAGING STATES TO CONSIDER ADOPTING COMPREHENSIVE LEGISLATION TO COMBAT HUMAN TRAFFICKING AND SLAVERY AND RECOGNIZING THE MANY EFFORTS MADE TO COMBAT HUMAN TRAFFICKING AND SLAVERY

Mr. CORNYN (for himself, Mr. SCHUMER, Mr. GRAHAM of South Carolina, Mr. LEAHY, and Mrs. CLINTON) submitted the following resolution; which was considered and agreed to:

S. RES. 414

Whereas it has been nearly 2 centuries since the abolition of the transatlantic slave trade, and well over a century since the ratification of the 13th amendment to the Constitution of the United States;

Whereas most Americans would be shocked to learn that the institutions of slavery and involuntary servitude continue to persist today—not just around the world, but hidden in communities across the United States;

Whereas according to Federal Government estimates, approximately 800,000 human beings are bought, sold, or forced across the world's borders each year—including approximately 16,000 human beings into the United States each year—and are coerced into lives of forced labor or sexual servitude that amount to a modern-day form of slavery;

Whereas the 13th amendment to the Constitution of the United States, ratified in 1865, abolishes the institutions of slavery and involuntary servitude;

Whereas numerous provisions of chapter 77 of title 18 of the United States Code have criminalized slavery since 1909;

Whereas the late Senator Paul Wellstone joined in a bipartisan manner with Senator Sam Brownback and many other Senators and Representatives to advance legislation to strengthen those laws, leading to the enactment of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.), which was signed into law by President Bill Clinton;

Whereas Congress made further bipartisan improvements to the law when it enacted the Trafficking Victims Protection Reauthorization Act of 2003 (Public Law 108-193), which was signed into law by President George W. Bush;

Whereas the Department of Justice, under the leadership of its Civil Rights Division, has worked during the Clinton and Bush presidencies to strengthen anti-trafficking laws and to increase its own efforts to combat human trafficking and slavery in light of those recent bipartisan enactments;

Whereas the Trafficking in Persons Office of the Department of State continues to fight human trafficking around the world;

Whereas many nongovernmental organizations have made exceptional contributions to the prevention of human trafficking and to the care and rehabilitation of victims of human trafficking;

Whereas survivors of human trafficking crimes risk their lives and the lives of their families to assist in the investigation and prosecution of their former captors;

Whereas effective prosecution of human trafficking crimes will not be possible unless

adequate protections are offered to the survivors;

Whereas the fight to eliminate human trafficking and slavery requires the involvement of State and local law enforcement officials, as well as Federal law enforcement efforts;

Whereas the enactment of comprehensive State laws criminalizing human trafficking and slavery may be necessary to ensure that Federal efforts are accompanied by robust efforts at the State and local levels;

Whereas the States of Texas, Washington, Missouri, and Florida have recently enacted comprehensive State criminal laws against human trafficking and slavery;

Whereas the Department of Justice recently announced a comprehensive model State anti-trafficking criminal statute, and encouraged States to adopt such laws, at its first "National Conference on Human Trafficking," held in Tampa, Florida; and

Whereas the Department of Justice's model State anti-trafficking criminal statute is available at the Department's website, http://www.usdoj.gov/crt/crim/model_state_law.pdf; Now, therefore, be it

Resolved, That the Senate—

(1) supports the bipartisan efforts of Congress, the Department of Justice, and State and local law enforcement officers to combat human trafficking and slavery;

(2) strongly encourages State legislatures to carefully examine the Department of Justice's model State anti-trafficking criminal statute, and to seriously consider adopting State laws combating human trafficking and slavery wherever such laws do not currently exist;

(3) strongly encourages State legislatures to carefully examine the Federal benefits and protections for victims of human trafficking and slavery contained in the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Reauthorization Act of 2003, and to seriously consider adopting State laws that, at a minimum, offer these explicit protections to the victims; and

(4) supports efforts to educate and empower State and local law enforcement officers in the identification of victims of human trafficking.

SENATE CONCURRENT RESOLUTION 129—ENCOURAGING THE INTERNATIONAL OLYMPIC COMMITTEE TO SELECT NEW YORK CITY AS THE SITE OF THE 2012 OLYMPIC GAMES

Mr. SCHUMER (for himself and Mrs. CLINTON) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 129

Whereas the Olympic Games further the cause of world peace and understanding;

Whereas the country hosting the Olympic Games performs an act of international goodwill;

Whereas if New York City were chosen to host the 2012 Olympic Games, there would be a substantial local, regional, and national economic impact, which would include 7 years of international sports events, meetings, and related nationwide tourism activity in New York City;

Whereas the Olympic movement celebrates competition, fair play, and the pursuit of dreams;

Whereas the United States and, in particular, New York City, celebrate these same ideals; and

Whereas New York City has never hosted the Olympic Games: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) encourages the International Olympic Committee to choose New York City as the site of the 2012 Olympic Games; and

(2) hopes that the United States will be selected as the host country of the 2012 Olympic Games, and pledges its cooperation and support for their successful fulfillment in the highest Olympic tradition.

SENATE CONCURRENT RESOLUTION 130—EXPRESSING THE SENSE OF CONGRESS THAT THE SUPREME COURT OF THE UNITED STATES SHOULD ACT EXPEDITIOUSLY TO RESOLVE THE CONFUSION AND INCONSISTENCY IN THE FEDERAL CRIMINAL JUSTICE SYSTEM CAUSED BY ITS DECISION IN BLAKELY V. WASHINGTON, AND FOR OTHER PURPOSES

Mr. HATCH (for himself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. DURBIN, Mr. CRAIG, Mr. BIDEN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. DEWINE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 130

Whereas Congress enacted the Sentencing Reform Act of 1984 to provide certainty and fairness in sentencing, avoid unwarranted disparities among defendants with similar records found guilty of similar offenses, and maintain sufficient flexibility to permit individualized sentences when warranted;

Whereas Congress established the United States Sentencing Commission as an independent commission in the Judicial branch of the United States to establish sentencing policies and practices for the Federal criminal justice system that meet the purposes of sentencing and the core goals of the Sentencing Reform Act;

Whereas Congress has prescribed both statutory minimum and statutory maximum penalties for certain offenses and the Sentencing Reform Act authorizes the Sentencing Commission to promulgate guidelines and establish sentencing ranges for the use of a sentencing court in determining a sentence within the statutory minimum and maximum penalties prescribed by Congress;

Whereas the statutory maximum penalty is the maximum penalty provided by the statute defining the offense of conviction, including any applicable statutory enhancements, and not the upper end of the guideline sentencing range promulgated by the Sentencing Commission and determined to be applicable to a particular defendant;

Whereas both Congress and the Sentencing Commission intended the Federal Sentencing Guidelines to be applied as a cohesive and integrated whole, and not in a piecemeal fashion;

Whereas in *Mistretta v. United States*, 488 U.S. 361 (1989), the Supreme Court of the United States upheld the constitutionality of the Sentencing Reform Act and the Federal Sentencing Guidelines against separation-of-powers and non-delegation challenges;

Whereas in *Blakely v. Washington*, 124 S. Ct. 2531 (2004), the Supreme Court held that the sentencing guidelines of the State of Washington violated a defendant's Sixth Amendment right to trial by jury;

Whereas despite *Mistretta* and numerous other Supreme Court opinions over the past 15 years affirming the constitutionality of various aspects of the Guidelines, the

Blakely decision has raised concern about the continued constitutionality of the Federal Sentencing Guidelines;

Whereas the Blakely decision has created substantial confusion and uncertainty in the Federal criminal justice system;

Whereas the lower Federal courts have reached inconsistent positions on the applicability of Blakely to the Federal Sentencing Guidelines;

Whereas there is a split among the circuit courts of appeal as to the applicability of Blakely to the Federal Sentencing Guidelines, and the Second Circuit Court of Appeals has certified the question to the Supreme Court;

Whereas the orderly administration of justice in pending and resolved trials, sentencings and plea negotiations has been affected by the uncertainty surrounding the applicability of the Blakely decision to the Federal Sentencing Guidelines;

Whereas the current confusion in the lower Federal courts has and will continue to produce results that disserve the core principles underlying the Sentencing Reform Act;

Whereas two and one-half weeks after the Supreme Court issued its decision in Blakely, the Senate Judiciary Committee convened a hearing to consider the implications of the decision for the Federal criminal justice system; and

Whereas the Department of Justice, the Sentencing Commission, and others advised the Committee that corrective legislation was not necessary at this time, with the hope that the Supreme Court would clarify the applicability of its Blakely decision to the Federal Sentencing Guidelines in an expeditious manner: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the Supreme Court of the United States should act expeditiously to resolve the current confusion and inconsistency in the Federal criminal justice system by promptly considering and ruling on the constitutionality of the Federal Sentencing Guidelines.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 21, 2004, at 9:30 a.m., in open session to consider the following nominations:

1. Vice Admiral Timothy J. Keating, USN, for appointment to the grade of Admiral and to be Commander, United States Northern Command/Commander, North American Aerospace Defense Command;

2. Lieutenant General Bantz J. Craddock, USA, for appointment to the grade of General and to be Commander, United States Southern Command;

3. Peter Cyril Wyche Flory to be Assistant Secretary of Defense for International Security Policy; and

4. Valerie Lynn Baldwin to be Assistant Secretary of the Army for Financial Management and Comptroller.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and